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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,

10 Plaintiff,

11 v.

12 Juan Ramos Yajimovich,

13 Defendant.
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No. CR-18-01832-001-TUC-RM (BGM)

ORDER

15 Defendant Juan Ramos Yajimovich was convicted of conspiracy to transport
16 illegal aliens for profit in violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I), 1324(a)(1)(A)(ii),
17 and 1324(a)(1)(B)(i). (Doc. 92.) On December 20, 2019, this Court sentenced him to
18 time served followed by a three-year term of supervised release. (*Id.*) On November 10,
19 2020, a Petition to Revoke was filed, alleging that Defendant violated Standard
20 Conditions numbers 2 and 5 and Special Condition number 1 of his supervised release.
21 (Doc. 95.) Magistrate Judge Bruce G. Macdonald held an evidentiary hearing on August
22 19, 2021. (Doc. 106.) At the hearing, the Government moved to dismiss the alleged
23 violation of Special Condition number 1, with no objection by Defendant. (Doc. 110 at
24 4.)

25 On August 20, 2021, Magistrate Judge Macdonald issued a Report and
26 Recommendation (Doc. 110), recommending that this Court (1) find that Defendant
27 violated Standard Conditions numbers 2 and 5 of his supervised release, and (2) dismiss
28 the alleged violation of Special Condition number 1. No objections to the Report and

1 Recommendation were filed, and the deadline for filing objections has expired.

2 A district judge must “make a de novo determination of those portions” of a
3 magistrate judge’s “report or specified proposed findings or recommendations to which
4 objection is made.” 28 U.S.C. § 636(b)(1); *see also* Fed. R. Crim. P. 59(b)(3) (“The
5 district judge must consider de novo any objection to the magistrate judge’s
6 recommendation”). Failure to object to the findings and recommendations of the
7 magistrate judge “waives a party’s right to review.” Fed. R. Crim. P. 59(b)(2).

8 The Court has reviewed Magistrate Judge Macdonald’s Report and
9 Recommendation, the parties’ briefs, and the record. The Court finds no error in
10 Magistrate Judge Macdonald’s Report and Recommendation, and Defendant has waived
11 his right to review by failing to file objections.

12 Accordingly,


13 **IT IS ORDERED** that the Report and Recommendation (Doc. 110) is **accepted**
14 **and adopted in full.**

15 **IT IS FURTHER ORDERED** that Defendant Juan Ramos Yajimovich is found
16 to have violated Standard Conditions numbers 2 and 5 of his supervised release.

17 **IT IS FURTHER ORDERED** that a Final Disposition Hearing is scheduled for
18 **November 3, 2021 at 10:45 a.m.**, before Judge Rosemary Márquez. Counsel should
19 refer to the Court’s lobby monitors to check on the location of this hearing.

20 Dated this 13th day of September, 2021.

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Honorable Rosemary Márquez
United States District Judge